

## CHAPTER 95

### SANITARY SEWER SYSTEM

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**95.01 SEWER DISTRICT.** There is one sewer district within the City. The City shall maintain public sanitary and storm sewer systems within the City and shall make such sewer systems available for use by persons within the City as provided by this chapter.

**95.02 DEFINITIONS.** The following terms are defined for use in this chapter:

1. "A.S.T.M." means American Society for Testing and Materials.
2. "B.O.D." or "Biochemical Oxygen Demand", means the quantity of oxygen utilized in the carbonaceous biochemical oxidation of organic matter, under standard laboratory procedure, in 5 days at 20 degrees Centigrade (Celsius), expressed in parts per million by weight.
3. "Building drain" means that part of the lowest, near horizontal piping of a drainage system which receives sewage, pollutants and/or garbage from within a building and conveys it to the building sewer, beginning five (5) feet outside of the inner face of the building wall.
4. "Building sewer" means that part of the sewer from the building drain to the public sewer or other place of disposal.
5. "Combined sewer" means a sewer serving as both a sanitary sewer and a storm sewer.
6. "Garbage" means waste resulting from the handling, preparation or manufacture of foods.
7. "Industrial wastes" means wastes other than sewage in such concentration, quality or quantity as is not normally expected in ordinary

residential wastes, and includes heat or cold outside of the range between 32 and 150 degrees Fahrenheit.

8. “Natural outlet” means any outlet into a natural body of water or a ditch or watercourse.

9. “pH” means the negative of the base 10 logarithm of the number expressing the hydrogen ion concentration in grams per liter of solution.

10. “Pollutant” includes any heat or cold or any substance or substances, in such a degree or concentration as does not occur naturally under the then existing ecological circumstances or in the City water supply.

11. “Private,” used as an adjective, means not public.

12. “Properly shredded garbage” means garbage shredded to such a degree that all particles will be carried freely under the normally prevailing flow conditions of the public sewers, and in no event with any particle greater than one-half ( $\frac{1}{2}$ ) inch in any linear dimension.

13. “Public,” used as an adjective, means controlled and operated by the City or by a franchise of the City and generally available as such for use by several owners of nearby properties.

14. “Sanitary sewer” means a sewer intended for carrying sewage, pollutants and properly shredded garbage.

15. “Sewage” means human and/or animal waste.

16. “Sewage treatment plant” means any arrangement of devices and structures used for treating sewage.

17. “Sewer” means a pipe or conduit used for receiving or carrying sewage, pollutants, garbage or storm, ground and surface water runoff.

18. “Sewage works” means all facilities for collecting, pumping, treatment and disposing of sewage, pollutants and garbage.

19. “Storm sewer” means a sewer intended for carrying storm, ground and surface water runoff.

20. “Suspended solids” means solids either floating or otherwise suspended in liquids which are removable by laboratory filtering.

21. “Watercourse” means a channel in which water flows continuously or intermittently.

22. “Work” includes all work upon a sewer and all related work except work within Section 90.01 of this Code of Ordinances.

**95.03 ASBURY PLUMBING CODE.** All work shall conform to the *Asbury Plumbing Code*, adopted by Section 156.15 of this Code of Ordinances. An official copy of the Plumbing Code shall be kept in the office of the City Clerk and available for public inspection.

**95.04 STANDARD SPECIFICATIONS.** The City Council has adopted written *Standard Specifications and Standard Details for Sanitary Sewer and Force Main Construction*, which are incorporated herein by reference. Sanitary sewer, manhole, and force main construction excavation and work shall conform to the *Standard Specifications and Standard Details for Sanitary Sewer and Force Main Construction*, an official copy of which shall be kept in the office of the City Clerk and available for public inspection.

**95.05 PLUMBING INSPECTOR.** The City Council shall designate a City plumbing inspector who shall have authority for enforcing this chapter.

**95.06 REQUIRED CONSTRUCTION PERMITS.**

1. Permits Required. No person shall install, remove, alter, repair or replace or cause to be installed, removed, altered, repaired or replaced any plumbing, gas or drainage piping work or any fixture or water heating or treating equipment in a building or premises without first obtaining a written permit to do such work from the City Clerk. Any person who shall commence any work for which a permit is required by this chapter without first having obtained a permit therefor shall, if subsequently permitted to obtain a permit, pay double the permit fee fixed by Section 95.07(1) of this chapter for such work, provided, however, that this provision shall not apply to emergency work when it is proved to the satisfaction of the City plumbing inspector that such work was urgently necessary and that it was not practical to obtain a permit therefor before commencement of the work. In all such cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, a double fee as herein provided shall be charged.

2. Application Information. Applications for permits shall be made by the property owner to be served by the work on forms provided by the City Clerk and shall contain the following information: the name and address of the applicant and owner, if different; the nature, location and purpose of the proposed work; a description of the property to be served, its area in square feet and legal description; the expected dates of beginning and completion of the proposed work and information complying with Section 95.20 of this chapter in the case of a new connection.

3. Indemnification Agreement. As part of the application, the owner of the property to be served shall agree that he or she and his or her successors or assigns shall comply with this chapter at all times and shall defend, indemnify and hold the City harmless against any loss or damage resulting directly or indirectly from such work, or workmanship, caused either to the City or to third parties.

**95.07 FEES.**

1. General Fee. A fee shall be collected from the applicant by the City Clerk on behalf of the City to cover the costs of issuing the permit and any supervising and inspecting of the work required by this chapter. The fee shall be based on the following schedule:

A. Permit Issuance:

- (1) For issuing each permit .....\$ 10.00
- (2) For issuing each supplemental permit.....\$ 5.00
- (3) Application fee for private sewage disposal facility .....\$ 50.00

B. Unit Fee Schedule:

- (1) For each plumbing fixture or trap on one trap (including water, drainage piping, venting and backflow protection therefor).....\$ 6.00
- (2) For installing, repairing or replacing each building, trailer or mobile home sanitary or storm sewer:
  - (a) From City main to property line .....\$ 10.00
  - (b) From property line to the building, trailer or mobile home .....\$ 10.00
- (3) For each drain opening in a building, trailer or mobile home storm drain .....\$ 10.00
- (4) For each building, trailer, or mobile home sanitary or storm sewer from a private disposal system to a building, trailer or mobile home.....\$ 20.00
- (5) For each industrial or commercial waste pretreatment interceptor including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps .....\$ 10.00
- (6) For repair or alteration of drainage or vent piping, each fixture .....\$ 10.00
- (7) For each backflow protective device other than atmospheric-type vacuum breakers .....\$ 10.00

- (8) For each private community sanitary or storm sewer main and contributory branches, except building, trailer or mobile home sewers, per 100 lineal feet of sewer main and branches ..... \$ 10.00
- (9) For atmospheric-type vacuum breakers not included in items (2) or (12):
  - (a) One to 5 ..... \$ 10.00
  - (b) Over 5, each ..... \$ 2.00
- (10) For each water heater (with or without vent) . \$ 9.00
- (11) For installation, alteration or repair of water piping and/or water-treating equipment except building, trailer or mobile home water service, each..... \$ 10.00
- (12) For each lawn sprinkler system or any one meter including backflow protection devices therefor..... \$ 10.00
- (13) For each building, trailer or mobile home water service, installed, replaced or repaired:
  - (a) From water main to property line ..... \$ 10.00
  - (b) From property line to building, trailer, or mobile home ..... \$ 10.00
  - (c) From private water supply to building, trailer or mobile home ..... \$ 10.00
- (14) For each private community water supply main and branches except building, trailer or mobile home service piping, per each 100 lineal feet and fraction thereof..... \$ 10.00
- (15) For each gas piping system of one to five outlets ..... \$ 10.00
- (16) For each gas piping system of 5 or more outlets, per outlet ..... \$ 2.00

C. Other Inspections.

- (1) Inspections outside of normal business hours (minimum charge 2 hours) per hour .... \$ 30.00
- (2) Reinspection fee assessed per hour ..... \$ 30.00
- (3) Inspection for which no fee is specifically indicated (minimum charge - 1/2 hour) per hour ..... \$ 30.00
- (4) Plan review fee (minimum one-hour charge and charged in 1/2-hour increments beyond the first hour) per hour ..... \$ 30.00

(5) Additional plan review required by changes, additions or revisions to previously approved plans (minimum charge - ½ hour) per hour ....\$ 30.00

2. Connection Fee. If the application is to make connection to a public sanitary sewer, the application shall be accompanied by a sewer connection fee of:

A. For the connection with any public main sewer, which public main sewer was in existence and available for service on or before January 1, 1991, a fee of \$750.00 per connection, provided that the City Council may reduce such fee to an amount that will render the fee reasonable and equitable under the circumstances, and in no case shall the fee exceed the equitable portion of the total original cost to the City of extending the sanitary sewer main to the near vicinity of the property to be served, less any part of such original cost previously paid to the City on behalf of the property served.

B. For the connection with any public main sewer which was constructed after January 1, 1991:

- (1) Single family attached dwelling – \$750 per unit;
- (2) Single family detached dwelling – \$750 per dwelling;
- (3) Multiple family dwelling – \$1,000;
- (4) Commercial, light industrial –\$1,000.

In the event that a lateral from the main to the property line was or is installed as part of a subdivision development, “connection with any public main sewer” means either connection with that lateral or connection of a different lateral to the main.<sup>†</sup>

*(Subsection 2 – Ord. 1-2023 – May 23 Supp.)*

3. Connection Fee – Natural Gas. If the application under Section 95.06(1) is to make connection to the public natural gas pipeline located within the Seippel Road Extension (from the intersection of Asbury Road and Seippel Road northward), the application shall be accompanied by a natural gas line connection fee, which shall be determined by multiplying the total cost of the extension by a fraction, the numerator of which shall be equal to the front footage of the property to be served by the natural gas pipeline connection and the denominator of which shall be equal to the total front footage of all private property to

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<sup>†</sup> **EDITOR’S NOTE:** Changes to Subsection 2 rates were adopted by Ordinance No. 1-2023 with an effective date of July 1, 2023.

be served by the extension, less any part of such total cost previously paid, by special assessment or otherwise, to the City on behalf of the property.

**95.08 ISSUANCE OF PERMIT.** Upon the completion of the application and the payment of all fees, a permit shall be issued within ten (10) days if the proposed work will meet all the requirements of this chapter. The plumbing inspector shall advise the City Clerk in such determination. If for any reason the proposed work would be contrary to the best interests of the City, the application shall be referred to the City Council for decision as to the issuance of any permit. No permit shall be issued either to a former permit holder who has intentionally violated the provisions of this chapter relating to sewer connections or for work upon a public sewer other than at a connection to a building sewer. Permits are not transferable to other persons and apply only to the particular work denoted in the application.

**95.09 SUSPENSION AND REVOCATION OF PERMIT.**

1. In the case of any violation of this Chapter by the permit holder, his or her agents or employees, the plumbing inspector may order the permit holder to correct the violation immediately. Upon any failure of the permit holder to do so within a reasonable time in the exercise of due diligence, the plumbing inspector may suspend the permit and all work shall then cease. If the plumbing inspector is satisfied that the permit holder can and will correct the violation before completion, the plumbing inspector may reinstate the permit on that condition.
2. If work does not begin within six (6) months of the date of issuance of the permit, or if commenced work is discontinued without good cause for a period of six (6) months, whether under suspension or not, the permit shall be deemed revoked and all work under such permit shall thereafter be in violation of this chapter.
3. Neither suspension nor revocation shall relieve any permit holder of any liability based upon tort or contract or of any obligation to maintain a bond or public liability insurance in force.
4. The City Council has discretion to change any prescribed period of time for good cause shown and to review any decision of the plumbing inspector. The decision of the City Council shall be final.
5. The plumbing inspector may complete or correct the work where the permit has been suspended or revoked.

#### **95.10 MANDATORY SANITARY SEWER CONNECTIONS.**

1. The owners of any building or property to be used for human occupancy, including mobile home parks and mobile homes, or for employment, recreation or industry within the City shall make connection to a public sanitary sewer and install suitable toilet facilities; provided, this provision shall not apply until a public sanitary sewer extends to within one hundred fifty (150) feet of the property line of the property to be served. In the event a public sanitary sewer does not extend to within one hundred fifty (150) feet of the property line of the property to be served, the owners shall install a private sewer and install suitable toilet facilities approved by the City Engineer.
2. The City Council shall fix a reasonable time for compliance in the case of new public sanitary sewers extending to within one hundred fifty (150) feet of the property line and shall give written notice thereof to the owner of the property concerned. The City Council may extend such time period for good cause shown.
3. Notice shall inform the owner that a connection is mandatory within the specified time period and that if the owner fails to do so the City will do so and collect the costs in the manner of a property tax.
4. Nothing herein shall be construed to discourage non-mandatory connections under agreement with the City.

**95.11 COSTS OF WORK.** All costs and expenses of work for which a permit is required under this chapter shall be borne by the owner of the property served thereby.

**95.12 EXCAVATIONS.** All excavations shall be adequately guarded with sufficient barricades, warnings or lights to protect the public from unreasonable risk or danger.

**95.13 MAINTENANCE AND REPAIR OF SEWERS.** No owner shall fail to keep a building sewer serving his or her property, other than the public sewers, in good condition and free of defect. The owner shall be liable for all operations, maintenance, repair, blockage, surface replacement, and any damage resulting from operation, maintenance, repair and blockage of such private sewer up to and including the connection to the public sewer system at his or her expense. The private sewer shall include any and all laterals and all connections of laterals to main sewer. The public sewer shall include only the main sewer, excluding any and all laterals and connections on private property or within the public right-of-way. The owner shall be allowed a reasonable time within which to make necessary maintenance and repair, and the City shall expedite the issuance of necessary permits.



**95.14 INSPECTION OF WORK.** All work pursuant to a permit shall be subject to inspection by the plumbing inspector at any time. No excavation shall be filled or partially filled and no sewer shall be used until the work upon the sewer in that area has passed inspection by the plumbing inspector. Passage of inspection shall not operate as an adoption or guarantee of the work or workmanship. Responsibility for compliance and all work and workmanship remains that of the property owner and/or his or her contractor.<sup>†</sup>

**95.15 WORK BY CITY; COLLECTION OF COSTS.** In addition to any other remedies, the City Council may, on behalf of the City:

1. Elect to make any mandatory connection if the property owner fails to do so within the time specified in the written notice that a connection is mandatory, and assess the costs and expenses against the property for collection in the same manner as a property tax;
2. Seek reimbursement from the property owner in accordance with Sections 95.11 or 95.13 of this chapter and/or take any necessary legal action to place a lien against the real property served;
3. Seek reimbursement from the plumber or contractor and/or against his or her bond for the costs and expenses of correction or completion of any work;
4. Elect to take any action immediately, regardless of any other provision of this chapter, as is reasonably necessary to cope with an emergency or exigency; and/or
5. Exercise such right of entry as exists under this Code of Ordinances to accomplish any work.

**95.16 REQUIREMENTS FOR BUILDING SEWERS AND DRAINS.**

1. Old building sewers may be used in connection with new buildings only when they are found on examination and test by a representative of the City to meet all requirements of this chapter.
2. The building sewer shall be cast iron soil pipe, A.S.T.M. Specification, A74 - latest edition, or equal; vitrified clay sewer pipe, A.S.T.N. Specification C700 - latest edition, or equal; PVC plastic pipe per A.S.T.N. D3034, SDR 35. Joints shall be tight and waterproof. Water service lines and building sewers shall be separated ten feet (10') horizontally throughout their length. Where conditions render such separation unfeasible, sewer and water pipe may be laid in the same trench provided that the water pipe shall be laid on a bench or on solidly

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<sup>†</sup> **EDITOR'S NOTE:** See also Section 156.15, *Asbury Plumbing Code*, Subsection 27, for provisions relating to inspection and compliance.

tampered backfill at least eighteen inches (18") above the top of the building sewer throughout its entire length. Cast iron soil pipe may be required by the City where the building sewer is exposed to damage by roots. If the sewer is to be installed in filled or unstable ground, the building sewer shall be cast iron soil pipe, except that non-metallic material may be accepted if laid on a suitable concrete cradle as approved by the City.

3. The size and slope of the building sewer shall meet the approval of the City and in no event shall the diameter be less than four inches (4") and the slope less than one-eighth inch (1/8") per foot. For six-inch (6") building sewer, the slope shall not be less than one-sixteenth inch (1/16") per foot. Slopes to provide at least 2 feet per second velocity at one-half full are recommended, where a 4" sewer has at least 1.4 feet slope per 100 feet of sewer and a 6" sewer has a least 0.63 feet slope per 100 feet of sewer. For a commercial or industrial building, the building sewer shall be no less than 4" in diameter.

4. Wherever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to, or within three feet (3') of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in grade or alignment shall be made with proper fittings.

5. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

6. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the City. Pipe installation shall be performed in accordance with applicable portions of the Water Pollution Control Federation *Manual of Practice No. FD-5*, A.S.T.M. C12 and pipe manufacturer's recommendations, except that no backfill shall be placed until the work has been inspected.

7. All joints and connections shall be made gas-tight and water-tight. Cast iron soil pipe joints shall conform to A.S.T.M. Specification C564 - latest edition. All joints in vitrified clay pipe shall conform to A.S.T.M. Specification C425 - latest edition. All jointing materials shall be used in strict accordance with the manufacturer's recommendations in a workmanlike manner to secure water-tight joints. All joints in PVC plastic pipe shall be elastometric gasket type in accordance with A.S.T.M. Specification D3212. No solvent welded joints will be permitted.

8. Connection to the building sewer to the public sewer shall be made at a “Y” or “T” branch fitting, if such fitting is available at a suitable location. If no properly located “Y” or “T” branch fitting is available, the property owner shall at his/her expense install a “Y” or “T” fitting in the public sewer utilizing flexible couplings or install a “Y” or “T” saddle on the public sewer at a location approved by the City. The sewer pipe shall be cut with a saw to form a straight end for fitting installation. The pipe shall not be cut by hammer and chisel. Any pipe cracked or broken in the process of installing a fitting shall be replaced at no cost to the City. Fittings installed in the public sewer shall be of the same material as the public sewer. Flexible couplings shall be specifically for the application, be of the correct size, have stainless steel clamps, render the installation water-tight and meet the approval of the City. Tapping saddles shall be properly sized for the connection to the public sewer, have a compressible gasket that will totally seal the connection, have stainless steel clamps and meet the approval of the City. The hole for the saddle connection shall be made by sawing. Holes shall not be made with a hammer or chisel. Any pipe that is cracked or broken in the process of making the connection shall be replaced at no cost to the City. If the designated location for connection to the sewer is at the temporary end of a line, the connection shall be made in such a way to allow future connections and/or extensions. No connection will be permitted that will preclude other connections or extension without specific approval of the City. If so required by the City, the property owner shall install a clean out or manhole at the end of the sewer to facilitate sewer cleaning for the convenience of the City. If said additional clean out or manhole are required, the permittee or the permittee’s contractor shall be reasonably compensated by the City upon submission of proper documentation of the costs. As a condition of the issuance of a permit for installation of a “Y” or “T” fitting or saddle in/on the public sewer, the permittee may be required to install a connection for future use by an adjacent property owner. If an additional, properly plugged connection is required, the permittee or the permittee’s contractor shall be reasonably compensated upon submission of proper documentation of costs.

9. Each and every part of the building sewer shall be inspected and approved by the plumbing inspector before being concealed or backfilled. The owner shall notify the City Clerk or plumbing inspector when the building sewer is complete and ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the plumbing inspector.

### **95.17 UNLAWFUL DISPOSAL OF WASTE.**

1. No person shall place, deposit or permit to be deposited, upon public or private property within the City, any sewage, garbage or offensive waste so as to create an unsanitary or unsafe condition.
2. No person shall discharge any sewage, pollutant or garbage into any natural outlet unless it has been treated in a manner approved by State, Federal and local law, including this chapter.
3. Every place of human habitation, employment or recreation or place of industry which is not connected with the public sewer system shall maintain such septic tank, cesspool or other facilities as may be required by law for the protection of health and environment.

### **95.18 STANDARDS FOR DISCHARGE INTO THE PUBLIC SANITARY SEWER SYSTEM.**

1. Except as hereinafter provided, no person shall discharge or cause to be discharged into any public sanitary sewer any of the following:
  - A. Liquid or vapor having a temperature higher than 150 degrees Fahrenheit, or 65 degrees Centigrade (Celsius).
  - B. Gasoline, benzine, n avendifuel oil, mineral oil or other flammable or explosive liquid, solid or gas, except as required by the Asbury Community Fire Department in a fire emergency.
  - C. Water or wastes containing on an average more than 100 parts per million, by weight of fat, oil, or grease, or which fat, oil or grease will solidify or become discernibly viscous at temperatures between 32 and 150 degrees Fahrenheit.
  - D. Garbage that has not been properly shredded.
  - E. Ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, chemicals, residues, lime, paint, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of sewage works.
  - F. Waters or wastes having a pH lower than 6.0 or higher than 9.5, or having other corrosive properties capable of causing damage or hazard to structures and equipment of the sewage works, sewers, or persons working in such areas.
  - G. Waters or wastes containing suspended solids of such character and quantity that unusual provision, attention, or expense is required to handle such at the treatment plant.

H. Any noxious or malodorous gas, liquid or solid which is capable of creating a nuisance or hazard to life or of preventing entry into sewers for maintenance, repair or testing.

I. Wastes which react with waters or other wastes to release noxious or malodorous gases capable of creating a nuisance or hazard to life or of preventing entry into sewers for maintenance, repair or testing.

J. Wastes which react with waters or other wastes to form suspended solids in such character and quantity that unusual provision, attention or expense is required to handle such at the treatment plant.

K. Wastes which react with waters or other waste to form corrosive or toxic chemicals in harmful concentrations, or to form substances capable of obstructing the flow in sewers or the proper operation of the sewage works, or temperatures beyond the range of 32 to 150 degrees Fahrenheit.

L. Water or wastes that for a duration of fifteen minutes have a concentration greater than five times that of normal sewage, as measured by suspended solids and B.O.D.

M. Waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any treatment process or constitute a hazard to humans, animals or plant life. The following concentrations of certain chemicals shall apply:

- (1) 10 parts per million, by weight, of hydrogen sulphide, sulphur dioxide or nitrous oxide;
- (2) 0.5 parts per million, by weight, of phenols;
- (3) 2 parts per million, by weight, of cyanide;
- (4) 15 parts per million, by weight, of iron;
- (5) 5 parts per million, by weight, of hexavalent chromium;
- (6) 3 parts per million, by weight, of copper;
- (7) 2 parts per million, by weight, of zinc; and
- (8) 30 parts per million, by weight, of chlorine demand.

Toxic metals; such as those included above, and chlorine demand, shall not exceed three times the average concentration stated above at the sewage treatment plant.

N. Toxic radioactive isotopes.

O. Any waters or wastes containing phenol or other taste- or odor-producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

P. Materials which exert or cause: unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

Q. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to the treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

2. Grease, oil and sand interceptors shall be provided when, in the opinion of the City Council, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the City and shall be located as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gastight and watertight.

3. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his or her expense, in continuously efficient operation at all times.

4. The admission into the public sewers of any waters or wastes having (i) a 5-day Biochemical Oxygen Demand greater than 300 parts per million by weight, or (ii) containing more than 350 parts per million by weight of suspended solids, or (iii) containing any quantity of substances having the characteristics described in subsection 1 of this section, or (iv) having an average daily flow greater than 2% of the average daily sewage flow of the City, shall be subject to the review and approval of the City Council. Where necessary in the opinion of the

City Council, the owner shall provide, at his or her own expense, such preliminary treatment as may be necessary to (a) reduce the Biochemical Oxygen Demand to 300 parts per million by weight, or (b) reduce objectionable characteristics, or constituents to within the maximum limits provided for in subsection 1 of this section, or (c) control the quantities and rates of discharge of such waters or wastes. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Iowa Department of Natural Resources, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

5. Where preliminary treatment facilities are provided for any water or wastes, they shall be maintained continuously in satisfactory and effective operation, by the owner at his or her expense.

6. When required by the City Council, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manholes, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the City Council. The manhole shall be installed by the owner at his or her expense, and shall be maintained by him or her so as to be safe and accessible at all times.

7. All measurements, tests, and analyses of the characteristics of waters and wastes shall be determined in accordance with the latest published edition of the *Standard Methods for the Examination of Water and Waste Water* published by the American Public Health Association and the American Waterworks Association, and incorporated herein by this reference, and shall be determined either at the control manhole provided for in subsection 6 of this section or upon suitable samples taken at said control manhole. In the event that no special control manhole has been required under subsection 6, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

8. No statement contained in this chapter shall be construed as to preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefor by the industrial concern.

9. No person shall discharge or cause to be discharged, storm water, surface water, ground water, roof runoff, subsurface drainage, or other unpolluted water, including interior and/or exterior foundation drains, downspouts, uncontaminated cooling water, or unpolluted industrial process waters, into any sanitary sewer.

**95.19 STANDARDS FOR DISCHARGE INTO PUBLIC STORM SEWER SYSTEM.** No person shall discharge or permit to be discharged into any public storm sewer any sewage, pollutant or garbage. Storm sewers are reserved, in the absence of approval to the contrary by the City Council, to storm water, surface water, ground water, roof runoff, and subsurface drainage. Except by special approval of the City Council, no industry shall permit polluted storm, surface or ground water, roof runoff or subsurface drainage to be discharged into the public storm sewers.

**95.20 PERMITS FOR DISCHARGE INTO PUBLIC SEWERS OR NATURAL OUTLETS.**

1. No person shall discharge any sewage, garbage, or pollutant into any public sanitary sewer or natural outlet without first having obtained a permit to do so issued by the City as required by this section.
2. There shall be two (2) classes of sewer permits:
  - A. For service to establishments producing industrial wastes; and
  - B. For service to other commercial and residential buildings which do not produce industrial wastes.
3. A permit to make a connection under Section 95.06 of this chapter shall be deemed a permit under this section to discharge into the public sanitary sewers where industrial wastes will not be discharged into the sewers. In the case of industrial wastes, an applicant for a permit shall fully inform the City Council of the concentration, quantity and quality of all wastes to be discharged which fall within the scope of Sections 95.18 and 95.19 of this chapter. The City Council may refuse any discharge of any pollutants in violation of this chapter or may grant limited exceptions permitted by State or Federal law, and may issue any permit accordingly. The City Council may review and revise such permits as circumstances reasonably indicate are in the public interest.
4. All discharges into natural outlets shall be only by special express permit of the City Council, upon adequate proof of protection of the environment and the public.



5. Upon any violation of this chapter or the limits of any permit, the permit may be suspended or revoked by the City Council. A new permit may be issued in the sound discretion of the City Council.

**95.21 PERMITS FOR DISCHARGE INTO PRIVATE SEWERS.** The City Council may issue permits for the disposal of industrial wastes into private sewers under such terms and conditions as are reasonably necessary to protect the environment. Permits for disposal of non-industrial wastes into private sewers are not required. The City Council may review and revise such terms and conditions as circumstances reasonably indicate are in public interest.

**95.22 RATES.<sup>†</sup>**

1. Sewer rates for residential dwelling units whose premises are located within the City limits shall pay a base rate of \$39.50 per month per unit and a use rates as follows:

0 to 600 CF	\$0.000 per cubic foot or \$0.00 per gallon per unit per month
Greater than 601 CF	\$0.0275 per cubic foot or \$0.003676 per gallon per unit per month

Vacancy Credit: Vacancy credit may be granted for residential dwellings based on the following terms and conditions:

- A. A Sewer Vacancy Form is received from the customer.
- B. Payment is current of most recent utility bill.
- C. Property is vacant for the entirety of two months and vacancy is only given for a maximum of 6 months.
- D. The Vacancy Service Credit per month is \$25.00.
- E. The Vacancy Credit will be applied upon return after 1-2 billing cycles.

2. In the case of the multiple-family housing, all usage charges shall be assessed to the owner of the building according to the number of residential units served.

Vacancy Credit: Vacancy credit may be granted for residential dwellings based on the following terms and conditions:

- A. A Sewer Vacancy Form is received from the customer.
- B. Payment is current of most recent utility bill.

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<sup>†</sup> **EDITOR'S NOTE:** Section 95.22 rates were adopted by Ordinance No. 1-2023 with an effective date of July 1, 2023.

C. Property is vacant for the entirety of two months and vacancy is only given for a maximum of 6 months.

D. The Vacancy Service Credit per month is \$25.00.

E. The Vacancy Credit will be applied upon return after 1-2 billing cycles.

3. Sewer rates for commercial customers whose premises are located within the City limits shall pay a base rate based upon the size of their water meter, determined as follows:

<u>Meter Size</u>	<u>Base Rate</u>
Up to 1"	\$ 22.00 per unit per month
Up to 2"	\$ 32.00 per unit per month
3"	\$ 52.00 per unit per month
4"	\$150.00 per unit per month
6"	\$230.00 per unit per month
8"	\$350.00 per unit per month

Commercial customer whose premises are located within the City limits shall pay a use rate based on the volume of water used per month as follows:

0 to 600 CF	\$0.000 per cubic foot or \$0.00 per gallon per unit per month
Greater than 601 CF	\$0.0275 per cubic foot or \$0.003676 per gallon per unit per month

Vacancy Credit: Vacancy credit may be granted for commercial customers based on the following terms and conditions:

A. A Sewer Vacancy Form is received from the customer.

B. Payment is current of most recent utility bill.

C. Property is vacant for the entirety of two months and vacancy is only given for a maximum of 6 months.

D. The Vacancy Service Credit per month is based on meter size.

E. The Vacancy Credit will be applied upon return after 1-2 billing cycles.

*(Sec. 95.22 – Ord. 1-2023 – May 23 Supp.)*

**95.23 PAYMENT OF BILLS.** All sewer service charges are due and payable under the same terms and conditions provided for payment of a combined service account as contained in Section 90.17 of this Code of

Ordinances. The provisions contained in Section 90.19 Lien for Nonpayment relating to lien notices shall also apply in the event of a delinquent account.

*(Ord. 5-2021 – Jul. 21 Supp.)*

**95.24 LIEN FOR NONPAYMENT.** The owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for sewer service charges to the premises. Sewer service charges remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified by the Clerk to the County Treasurer for collection in the same manner as property taxes.

*(Code of Iowa, Sec. 384.84)*

**95.25 WATER METERS.** Each owner of a commercial, industrial, or other non-dwelling unit shall install a water meter in a place reasonably capable of being read from the outside of the building, to the following specifications:

1. Rockwell water meter
2. Badger water meter

Each water meter shall be used to determine the quantity of flow used for the purpose of computing charges under Section 95.22(4). Each owner shall maintain the accuracy of such water meter and keep it in a proper state of repair. In the event of repair or replacement, the City Clerk shall be notified of the repair or replacement, and the repaired or replaced meter shall be set at the proper reading as determined by the City Clerk. No person shall tamper with, alter, disconnect, fail to connect or bypass such water meter or by any other means cause such water meter to reflect an erroneous reading of the volume of water used by the premises for which it is installed. Separate water meters for commercial, industrial, or other non-dwelling units with a backflow protective device of the kind and type as specified by the plumbing inspector may be installed in all instances where water from the public water supply is used for air conditioners, refrigeration or other processing and such clean water wastes are discharged to the storm sewer or disposed of by other means than the sanitary sewer, the purpose of metering such water will be used as a deduct quantity of water used for determination of the sewage service charge.

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